



General Assembly

Amendment

January Session, 2017

LCO No. 7256



Offered by:

SEN. DOYLE, 9th Dist.

SEN. KISSEL, 7th Dist.

REP. TONG, 147th Dist.

REP. REBIMBAS, 70th Dist.

To: Subst. Senate Bill No. **1005**

File No. 711

Cal. No. 390

"AN ACT CONCERNING TECHNICAL CHANGES TO STATUTES IN THE PENAL CODE."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2017*) (a) No person may
4 operate or use an unmanned aerial vehicle that allows such person to
5 release tear gas or any like or similar deleterious agent or to remotely
6 control a deadly weapon or an explosive or incendiary device.

7 (b) For the purposes of this section, "unmanned aerial vehicle"
8 means any contrivance used or designed for navigation of or flight in
9 air that is power-driven and operated without the possibility of direct
10 human intervention from within or on the contrivance, "deadly
11 weapon" means deadly weapon, as defined in section 53a-3 of the
12 general statutes, and "explosive or incendiary device" means explosive

13 or incendiary device, as defined in section 53-206b of the general
14 statutes.

15 (c) Any person who violates subsection (a) of this section shall be
16 guilty of a class C felony.

17 Sec. 2. (NEW) (*Effective October 1, 2017*) (a) A person is guilty of
18 reckless endangerment with an unmanned aerial vehicle in the first
19 degree when, with extreme indifference to human life, such person
20 recklessly collides an unmanned aerial vehicle into an aircraft or a
21 motor vehicle, creating a risk of serious physical injury to another
22 person. For the purposes of this section, "recklessly" and "serious
23 physical injury" have the same meanings as provided in section 53a-3
24 of the general statutes, "unmanned aerial vehicle" has the same
25 meaning as provided in section 1 of this act, "aircraft" has the same
26 meaning as provided in section 15-34 of the general statutes, but does
27 not include an unmanned aerial vehicle, and "motor vehicle" means a
28 passenger or commercial motor vehicle or a motorcycle, as defined in
29 section 14-1 of the general statutes, and includes construction
30 equipment, agricultural tractors and farm implements.

31 (b) Reckless endangerment with an unmanned aerial vehicle in the
32 first degree is a class A misdemeanor.

33 Sec. 3. (NEW) (*Effective October 1, 2017*) (a) A person is guilty of
34 reckless endangerment with an unmanned aerial vehicle in the second
35 degree when such person recklessly collides an unmanned aerial
36 vehicle into an aircraft or a motor vehicle, which creates a risk of
37 physical injury to another person. For the purposes of this section,
38 "recklessly" and "physical injury" have the same meanings as provided
39 in section 53a-3 of the general statutes, "unmanned aerial vehicle" has
40 the same meaning as provided in section 1 of this act, "aircraft" has the
41 same meaning as provided in section 15-34 of the general statutes, but
42 does not include an unmanned aerial vehicle, and "motor vehicle"
43 means a passenger or commercial motor vehicle or a motorcycle, as
44 defined in section 14-1 of the general statutes, and includes

45 construction equipment, agricultural tractors and farm implements.

46 (b) Reckless endangerment with an unmanned aerial vehicle in the
47 second degree is a class B misdemeanor.

48 Sec. 4. Subsection (a) of section 53a-189a of the general statutes is
49 repealed and the following is substituted in lieu thereof (*Effective*
50 *October 1, 2017*):

51 (a) A person is guilty of voyeurism when, (1) with malice, such
52 person knowingly photographs, films, videotapes or otherwise records
53 the image of another person (A) without the knowledge and consent of
54 such other person, (B) while such other person is not in plain view, and
55 (C) under circumstances where such other person has a reasonable
56 expectation of privacy, (2) with intent to arouse or satisfy the sexual
57 desire of such person or any other person, such person knowingly
58 photographs, films, videotapes or otherwise records the image of
59 another person (A) without the knowledge and consent of such other
60 person, (B) while such other person is not in plain view, and (C) under
61 circumstances where such other person has a reasonable expectation of
62 privacy, (3) with the intent to arouse or satisfy the sexual desire of such
63 person, commits simple trespass, as provided in section 53a-110a, and
64 observes, in other than a casual or cursory manner, another person (A)
65 without the knowledge or consent of such other person, (B) while such
66 other person is inside a dwelling, as defined in section 53a-100, and not
67 in plain view, and (C) under circumstances where such other person
68 has a reasonable expectation of privacy, or (4) with intent to arouse or
69 satisfy the sexual desire of such person or any other person, such
70 person knowingly photographs, films, videotapes or otherwise records
71 the genitals, pubic area or buttocks of another person or the
72 undergarments or stockings that clothe the genitals, pubic area or
73 buttocks of another person (A) without the knowledge and consent of
74 such other person, and (B) while such genitals, pubic area, buttocks,
75 undergarments or stockings are not in plain view. For purposes of this
76 subsection, "not in plain view" includes a view not otherwise
77 obtainable that is made possible through the use of (i) technology that

78 is electronic, as defined in section 1-331, or (ii) an unmanned aerial
79 vehicle, as defined in section 1 of this act.

80 Sec. 5. Subdivision (8) of subsection (a) of section 54-280 of the
81 general statutes is repealed and the following is substituted in lieu
82 thereof (*Effective October 1, 2017*):

83 (8) "Offense committed with a deadly weapon" or "offense" means:
84 (A) A violation of subsection (c) of section 2-1e, subsection (e) of
85 section 29-28, subsections (a) to (e), inclusive, or (i) of section 29-33,
86 section 29-34, subsection (a) of section 29-35, section 29-36, 29-36k, 29-
87 37a or 29-37e, subsection (c) of section 29-37g, section 29-37j, subsection
88 (b), (c) or (g) of section 53-202, section 53-202b, 53-202c, 53-202j, 53-
89 202k, 53-202l, 53-202aa or 53-206b, subsection (b) of section 53a-8,
90 section 53a-55a, 53a-56a, 53a-60a, 53a-60c, 53a-72b, 53a-92a, 53a-94a,
91 53a-102a, 53a-103a, 53a-211, 53a-212, 53a-216, 53a-217, 53a-217a, 53a-
92 217b or 53a-217c or section 1 of this act, or a second or subsequent
93 violation of section 53-202g; or (B) a violation of any section of the
94 general statutes which constitutes a felony, as defined in section 53a-
95 25, provided the court makes a finding that, at the time of the offense,
96 the offender used a deadly weapon, or was armed with and threatened
97 the use of or displayed or represented by words or conduct that the
98 offender possessed a deadly weapon;

99 Sec. 6. (*Effective from passage*) (a) Not later than January 1, 2018, the
100 Commissioner of Emergency Services and Public Protection, the Police
101 Officer Standards and Training Council and the Chief State's Attorney
102 shall submit a report, in accordance with the provisions of section 11-
103 4a of the general statutes, to the joint standing committees of the
104 General Assembly having cognizance of matters relating to the
105 judiciary and public safety and security. Said commissioner, said
106 council and the Chief State's Attorney shall include in such report any
107 recommendations for administrative policies and legislation necessary
108 to establish requirements that include, but need not be limited to, the
109 operation of an unmanned aerial vehicle by a law enforcement officer
110 (1) that is capable of (A) releasing tear gas or any similar deleterious

111 agent, or (B) being armed with a deadly weapon or an explosive or
 112 incendiary device, and (2) for the purpose of collecting information (A)
 113 pursuant to (i) a warrant, issued in accordance with section 54-33a of
 114 the general statutes, (ii) the advance written consent of the individual
 115 who will be the subject of the information collected by such operation,
 116 or (iii) the advance written consent of the owner of the property that
 117 will be the subject of the information collected by such operation, (B)
 118 where a determination that probable cause that a criminal offense has
 119 been, is being or will be committed and exigent circumstances exist,
 120 (C) as part of training activities, and (D) as part of the reconstruction or
 121 documentation of a specific crime or accident scene.

122 (b) For the purposes of this section, (1) "unmanned aerial vehicle"
 123 means any contrivance used or designed for navigation of or flight in
 124 air that is power-driven and operated without the possibility of direct
 125 human intervention from within or on the contrivance, (2) "law
 126 enforcement officer" means (A) a special policeman appointed under
 127 section 29-18 of the general statutes, or (B) an officer, employee or
 128 agent of (i) the Division of State Police within the Department of
 129 Emergency Services and Public Protection, (ii) a special police force
 130 established pursuant to section 10a-156b of the general statutes, or (iii)
 131 a municipal police department, (3) "deadly weapon" means deadly
 132 weapon, as defined in section 53a-3 of the general statutes, and (4)
 133 "explosive or incendiary device" means explosive or incendiary device,
 134 as defined in section 53-206b of the general statutes."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2017</i>	New section
Sec. 2	<i>October 1, 2017</i>	New section
Sec. 3	<i>October 1, 2017</i>	New section
Sec. 4	<i>October 1, 2017</i>	53a-189a(a)
Sec. 5	<i>October 1, 2017</i>	54-280(a)(8)
Sec. 6	<i>from passage</i>	New section